

## TOWN AND CITY CORPORATIONS.

Committee Room,

Austin, Tex., Jan. 20, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Town and City Corporations, to whom was referred

Senate bill No. 102, a bill to be entitled, "An Act to amend an act entitled, 'An Act to provide a charter for the city of Marshall, Harrison county, Texas, defining its boundaries, providing officers and prescribing their duties and powers, creating a corporation court and defining its powers and jurisdiction, and declaring an emergency,' approved March 23, 1903, by amending Section 1 of Article 4a of said act and adding thereto Sections 2 and 3, and by amending Sections 1, 4 and 5 of Article 6 of said act, and by adding thereto Sections 7, 8, 9, 10, 11 and 12, said sections relate to sidewalks and streets to taxation and the issuance of bonds, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that the bill be not printed.

BEATY, Chairman.

Committee Room,

Austin, Tex., Jan. 20, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Town and City Corporations, to whom was referred

Senate bill No. 90, a bill to be entitled, "An Act to amend Article 386c, Title XVIII, Revised Civil Statutes of the State of Texas, as amended by the Acts of the Twenty-eighth Legislature, relating to invalidating certain incorporated cities and towns, and validating the incorporation of cities and towns of 1000 inhabitants or over, which have heretofore attempted to be made, under certain conditions."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BEATY, Chairman.

## ELEVENTH DAY.

Senate Chamber,

Austin, Tex., Monday, Jan. 23, 1905.

Senate met pursuant to adjournment. The President and President Pro Tem. being absent, the Senate was called to order by Secretary Clyde D. Smith.

Roll call. No quorum present, the following Senators answering to their names:

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Looney.
Chambers.	Martin.
Faulk.	Skinner.
Glasscock.	Smith.
Griggs.	Stokes.
Hale.	Stone.
Harbison.	Terrell.
Hawkins.	Willacy.

Absent.

Decker.	McKamy.
Faust.	Paulus.
Grinnan.	Stafford.
Harper.	

Absent—Excused.

Davidson.	Hanger.
Holland.	Meachum.

Senator Smith moved a call of the Senate for the purpose of securing a quorum, the motion being duly seconded, and

The roll was called, the following answering to their names:

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Looney.
Chambers.	Martin.
Decker.	Skinner.
Faulk.	Smith.
Glasscock.	Stokes.
Griggs.	Stone.
Hale.	Terrell.
Harbison.	Willacy.
Hawkins.	

Absent.

Faust.	McKamy.
Grinnan.	Paulus.
Hanger.	Stafford.

Absent—Excused.

Davidson.	Holland.
Harper.	Meachum.

## ABSENTEES—NOT EXCUSED.

Senators Faust, Grinnan, Hanger, Harper, Martin, Paulus, Stafford.

Senators Chambers and Hale being announced at the bar of the Senate, the Chair announced a quorum present, and the call was, therefore, dismissed.

## PRESIDENT PRO TEM. AD INTERIM.

The election of a presiding officer being in order,

Senator Decker placed Senator Willacy in nomination as President Pro Tem. ad interim.

There being no other nominations, the same were closed.

The Chair appointed Senators Faulk, Skinner and Hale as tellers.

Senator Willacy received twenty votes.

Senator Willacy having received a majority of, and all, the votes cast, he was declared duly and constitutionally elected.

The Chair appointed Senators Decker and Beaty to escort Senator Willacy to the chair.

Senator Willacy thanked the Senate for the honor conferred upon him and declared the Senate ready for business.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending reading of the Journal of Saturday, on motion of Senator Faulk was dispensed with.

#### REPORTS OF STANDING COMMITTEES.

(See reports of in Appendix.)

#### TIME CHANGED FOR ENTERTAINMENT.

Senator Glasscock asked that the resolution, which was adopted by the Senate several days ago, granting the use of the Senate Chamber on Thursday night, January 26, to be used for a dance given by the Austin people, be changed till Wednesday night.

At this motion Senator Smith raised objection and offered the following motion:

Whereas, Since the passage of a resolution by the Senate at its present session, authorizing the use of the Senate Chamber Thursday night, the 26th, for the purpose of an old-fashion dance, the deliberations and work of the Senate have been delayed by not having its bills promptly printed, and that the use of the Senate Chamber for the purpose denominated in said resolution will further delay the business of the Senate; therefore be it resolved that said resolution be and the same is hereby canceled and set aside.

Senator Terrell moved to table the motion. Yeas and nays were called for, and the motion was tabled by the following vote:

Yeas—14.

Barrett.	Hale.
Beaty.	Hicks.
Brachfield.	Hill.
Decker.	Stokes.
Faulk.	Stone.
Glasscock.	Terrell.
Griggs.	Willacy.

Nays—7.

Chambers.	Martin.
Harbison.	Skinner.
Hawkins.	Smith.
Looney.	

Absent.

Faust.	McKamy.
Grinnan.	Paulus.
Hanger.	Stafford.
Hawkins.	

Absent—Excused.

Davidson.	Holland.
Harper.	Meachum.

Action then being on the motion of Senator Glasscock, the same was adopted.

#### BILLS AND RESOLUTIONS.

(Bills.)

By Senator Terrell, by request:

Senate bill No. 116, a bill to be entitled "An Act to amend Article 21 of Title IV of the Revised Civil Statutes of Texas, and to create the Sixth Supreme Judicial District of Texas, and provide for the organization of a Court of Civil Appeals within and for the Sixth Supreme Judicial District of Texas."

Read first time, and referred to the Committee on Judicial Districts.

By Senator Looney:

Senate bill No. 117, a bill to be entitled "An Act to amend Sections 1 and 2 of Chapter CI of an act of the Twenty-sixth Legislature, defining the offense of defrauding hotel and boarding-house keepers of their charges, and providing penalties therefor."

Read first time, and referred to Judiciary Committee No. 2.

#### HOUSE BILL No. 44.

Senator Decker called up House bill No. 44, a bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Gray county, and to conform to the jurisdiction of the District Court thereof."

On motion of Senator Decker the committee report was adopted.

The bill was read second time, and passed to a third reading.

Senator Decker moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

## Yeas—26.

Barrett.	Hicks.
Brachfield.	Hill.
Chambers.	Looney.
Decker.	Martin.
Faulk.	Skinner.
Glasscock.	Smith.
Griggs.	Stokes.
Hale.	Stone.
Harbison.	Terrell.
Hawkins.	Willacy.

## Absent.

Beaty.	Hanger.
Faust.	McKamy.
Grinnan.	Stafford.

## Absent—Excused.

Davidson.	Meachum.
Harper.	Holland.

The roll call developed no quorum voting and the motion was lost.

## HOUSE MESSAGE.

Hall of the House of Representatives.  
Twenty-ninth Legislature.

Austin, Texas, January 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 45, a bill to be entitled "An Act to better define the duties of peace officers and to require them as such to arrest parties who commit a breach of the peace in their presence,"

With engrossed riders as follows:

(1) Amend by adding after the word "be," in line 25, the following: "In the manner provided by law."

(2) Amend line 25 by striking out all after the word "filled," and adding "as may be provided by law."

House bill No. 70, a bill to be entitled "An Act to amend Article 799, of the Code of Criminal Procedure of the State of Texas, relating to taking depositions in criminal actions, and to repeal Article 800 of said code."

House bill No. 81, a bill to be entitled "An Act to amend Article 883, of Chapter 11, of the Penal Code of the State of Texas, relating to the theft of animals, and providing a penalty therefor," amending the law so as to make the theft of a sheep or goat a felony.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## ADJOURNED.

On motion of Senator Decker, the Senate at 11:40 o'clock a. m. adjourned until tomorrow morning at 10 o'clock.

## APPENDIX A.

## (Judiciary No. 1.)

Committee Room,

Austin, Texas, January 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 43, a bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Hutchinson county to conform to the jurisdiction of the District Court thereof, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,

Austin, Tex., Jan. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 23, a bill to be entitled, "An Act to amend Article 439, Title XXVIII, Chapter 2, of the Revised Civil Statutes of Texas, fixing the annual salaries of the judges of the district courts,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,

Austin, Tex., Jan. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 100, a bill to be entitled, "An Act to amend Article 689 of Chapter 5, Title XXI of the Revised Statutes of 1895, concerning the dissolution of corporations,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,

Austin, Tex., Jan. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 93, a bill to be entitled, "An Act to amend Article 2068 of Chapter 19, Title XXXIX, in regard to the presenting of claims to the executor or administrator of the estate of a decedent,"

Have had the same under consideration, and I am instructed to report

it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,  
Austin, Tex., Jan. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 95, a bill to be entitled, "An Act to prohibit telegraph and telephone companies chartered by law from communicating or transmitting free of charge messages or communications for any person or corporation, or to give and grant any permit or authority therefor, and providing a suitable penalty for the violation of the act and authorizing its collection and the enforcement of this act by the Attorney General, district and county attorneys of the State,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,  
Austin, Tex., Jan. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 99, a bill to be entitled, "An Act to fix the venue of suits in behalf of the State of Texas upon bonds or other obligations payable to the State or to the Governor of the State, and which are for the use and benefit of the State, and to authorize such suits to be brought in any county in which the defendants or either of them reside, or in the county of Travis,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,  
Austin, Tex., Jan. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 112, a bill to be entitled, "An Act to amend Article 2939, Title LIII, of the Revised Civil Statutes of Texas of 1895, pertaining to legal holidays, by adding June the third (3) as a legal holiday,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

## TWELFTH DAY.

Senate Chamber,  
Austin, Texas, Tuesday, Jan. 24, 1905.

Senate met pursuant to adjournment, President pro tem. Hanger presiding.

Roll call. Quorum present the following senators answering to their names:

Barrett.	Harbison.
Beaty.	Hawkins.
Brachfield.	Hicks.
Chambers.	Hill.
Davidson.	Looney.
Decker.	Martin.
Faulk.	McKamy.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stafford.
Grinnan.	Stokes.
Hale.	Stone.
Hanger.	Terrell.

Absent.

Paulus. Willacy.

Absent—Excused.

Harper. Meachum.  
Holland.

Prayer by Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Faulk, the same was dispensed with.

(See Appendix for Standing Committee reports.)

## BILLS AND RESOLUTIONS.

(Bills.)

By Senator Harbison:

Senate bill No. 118, a bill to be entitled "An Act to amend Article 643 of the Revised Statutes of the State of Texas, prescribing what must be set forth in the charter of a domestic corporation."

Read first time and referred to Judiciary Committee No. 1.

By Senator Davidson:

Senate bill No. 119, a bill to be entitled "An Act to amend Articles 2513, 2515, 2518d and 2518e, Chapter 4, Title XLVIII of the Revised Civil Statutes of 1895, Articles 2516 and 2518h, Chapter 175 of the General Laws of 1899, Articles 2514, 2518c and 2518k, Chapter 122 of the General Laws of 1903, and Articles 529g, Chapter 130 of the General Laws of 1901, and adding Article 529x, etc."

Read first time and referred to Judiciary Committee No. 2.

By Senator Glasscock:

Senate bill No. 120, a bill to be en-